

# *Conducting a Background Check on a Care Provider*

## **Overview**

How to conduct a background check as part of the screening process when hiring someone to care for a child or an older or disabled relative.

- Interviewing the provider
- Checking references
- State-required background checks of child care providers
- Conducting a background check on your own
- Background checks performed by placement agencies
- Using a background-check agency

You can hardly believe it -- the care provider you just met with seems perfect. She's energetic and informed, her résumé and reference letters are excellent, she finds the terms of employment acceptable, and she is ready to start right away. Do you have enough information to sign her up on the spot?

Most experts would say not yet. Although chances are your candidate really is the responsible, caring person she appears to be, at this point you need to find out as much about her as you possibly can. You'll need another interview to assess her judgment, flexibility, and ability to respond to unexpected situations. You'll want to see how she interacts with the person she will be caring for. You'll also have to make phone calls to the former employers listed on her résumé and to anyone else she provides as a reference. Then there are additional steps that you, a placement agency, or a special background-check agency can take to further explore your candidate's past. Whether you're making a final decision about someone to care for your child or a disabled or older relative, this article will help you understand what can -- and can't -- be done to confirm the candidate's credentials, and help get the two of you started toward a positive, trusting relationship.

## **Interviewing the provider**

A face-to-face interview is the first step in your screening process. It gives you the opportunity to observe how a candidate acts and to hear how she would handle situations that are likely to arise if she gets the job. Most candidates have prepared answers to the usual questions. To get an unrehearsed response, it is best to ask specific questions. For example, if you have a child who runs and hides at bath time, what will she say or do to get him in the tub? If the adult she will be caring for always pleads for foods that the doctor prohibits, how will she respond? An interview is also a chance to gain information about the candidate's background, and you should use the opportunity to find out what you can about her training, experience, and performance in past jobs.

- *Introduce her to the person she will be caring for.* Even if the contact lasts only a few minutes, you will have an opportunity to observe the interaction. And

remember: even infants and non-verbal adults will register their reaction through their body language.

- *Ask for a written résumé.* A comprehensive résumé should document each place the candidate has lived and worked. It's important to make sure that there are no time gaps in the history the candidate has given you, which might mean that she was sick for a lengthy period or not adequately explaining how she has spent her time. Frequent moves should alert you to investigate the provider with extra care. Repeated changes of address within the same city can be a sign that a person is attempting to avoid certain police jurisdictions. And in the case of family child care providers, frequent moves could be a sign that the provider has a history of licensing problems.
- *Ask for personal, employment, and training references.* The candidate's résumé should give you the names of former employers, but you should also ask for phone numbers so that you can call and check these references. Depending on her work experience, you should ask for names and numbers of all other families she has worked for. Ask for personal references as well. Teachers, family friends, neighbors -- even relatives of the candidate -- can provide helpful information. Finally, check if she has received any in-service training from a health care agency or attended any free-standing educational programs. If so, you should get information from them as well.
- *Make it clear that you check all references as a matter of course.* The candidate who is honest will be reassured that you are not singling her out for investigation. The candidate who has something to hide may withdraw at once.

### Checking references

*Checking references may be the most important step in the screening process.* Even if you don't conduct a formal background check, a thorough check of the candidate's references will give you a much more accurate picture of him than an interview alone can, and it will give you a chance to verify what he has put on his résumé. Most experts agree that you can never talk to too many references, and many say you should always talk with at least three. You might ask an employment reference or another parent to comment on the quality of the candidate's work, or to give an example of how he handled an emergency situation. You should also ask them to verify the employment dates he has given. You might ask personal references to describe his personality, or to give you more information about his background. Checking references is another opportunity to verify the addresses and dates that the candidate has given you. You could say something like, "I understand that John moved away from your town after high school. Do you know where he lived next?"

### **State-required background checks of child care providers**

Most -- but not all -- states conduct criminal record checks of family child care providers and caregivers or staff at child care centers as part of the licensing process. Most -- but again, not all -- check their child abuse records. States may check one but not the other.

Remember, there is no comparable government regulation of in-home providers (nannies, babysitters, or providers who care for older or disabled adults in their own homes). That's another reason why it's a good idea to find out as much as you can about a candidate's past before you hire someone to take care of your child or an older relative in your home.

### **Conducting a background check on your own**

It's possible -- but often time-consuming -- to perform your own background check on a candidate. Your investigative work could reveal certain criminal convictions, driving violations, and perhaps other information about your candidate's past that she may not have mentioned in an interview or on a résumé. On your own, you can do the following:

- *Perform certain limited criminal history record checks.* As an individual, you don't have access to the U.S. Department of Justice's national data bank of criminal records, which means that you will be limited to performing criminal history record checks only in the places where your candidate says she has lived. To obtain that information, you need to contact the county court in the county or counties where you want to conduct the search and ask what the particular court's procedure is. Be sure to ask for records of both felonies and misdemeanors. (You may need the written authorization of the person you are checking.) Although this information can sometimes be obtained through a court's computerized database, a hand search of the records is sometimes the only way to get complete and up-to-date information. And be forewarned, it is sometimes difficult to interpret the information contained in the reports.

You need to be aware that *such searches have limitations*. For example, if a candidate fails to mention that she lived in a certain area where she committed a crime, or if she committed a crime while visiting another area, the record search won't reveal those convictions. No record search will reveal convictions seven years old or older, arrests that didn't lead to convictions, or records of juvenile crimes.

- *Ask the candidate to obtain a "good conduct" letter* from the local police department or sheriff's office in the place or places where she has lived. This letter certifies that a person's record is clear of criminal convictions, but it's limited to the jurisdiction in which the letter is obtained. If a person has been convicted of a crime outside that jurisdiction, the letter won't contain that information.

- *Check a potential caregiver's driving record.* You can find out if the candidate has a history of safe driving in a certain state by requesting a report from the state's Department of Motor Vehicles. (In some states this is called the Bureau of Motor Vehicles or the Registry of Motor Vehicles.) In addition to providing the candidate's driving record, the report will confirm her address, date of birth, and physical description. The cost of processing a report is usually minimal, and you can make your request either in person or by phone.
- *Obtain credit reports.* In addition to providing information about a person's credit rating, credit reports can reveal work history and previous addresses, which you can compare to the information on your candidate's résumé. You can find the names of credit-report bureaus in your phone book. To obtain credit reports you need your candidate's written permission.

### **Background checks performed by placement agencies**

Many nanny placement agencies perform background checks on candidates as part of their service. The agency either:

- contracts with a background-check company, usually including the cost of the investigation in the agency's placement fee
- hires a private investigator (agencies who do this usually limit their recruiting to local candidates), or
- asks for "self-verification" by the candidate, which usually means that the agency checks references and asks for a "good conduct" letter from the candidate's local law enforcement bureau. Some agencies may also require copies of the candidate's Social Security card, driver's license and/or fingerprints, which are kept on file but not used in a formal background check.

Background checks are *not* generally part of the service offered by home health aide placement agencies, or by agencies that help place caregivers to provide services for the elderly. These agencies sometimes advertise the fact that they are "bonded," which means that you will be covered by a form of insurance in the event that a caregiver steals anything valuable. Ask about and be sure to understand how you would or would not be covered by this bonding.

It can save you a great deal of time and possibly money to have the provider placement agency conduct an investigation for you, especially if your candidate is from out of town. But it's important to understand that a placement agency's check is likely to be no more extensive than the investigation into local criminal records, driving violations, and credit history that you can perform on your own, and could possibly be narrower. So if you're relying on an agency to perform this task for you, it's important to find out the extent of the search that will be performed so you will know whether you need to supplement it.

Here are some important points to cover when you discuss background checks with a placement agency:

- *Ask for the specific guidelines that the agency uses in selecting candidates.* For example, does the agency require a written application only? A personal interview? Does it check references? How many references does the agency require, and from whom? Do the references include both character and employment history? Are they acquired in writing or by phone?
- *Find out exactly what areas are included in the agency's background check.* Does the placement agency (or the agency it hires) conduct a criminal record search? A driving record check? A credit check? If the agency doesn't usually perform these checks, would it be willing to perform them if you asked it to?
- *Request the name and address of any background-check agency or private investigator that the placement agency uses to conduct investigations.* Ask the agency specific questions about them or call and ask your questions directly.
- *Always ask for written documentation that the agency has actually obtained any background information that it has said it will give you.* Never rely on promises made in the agency's advertisements or in phone conversations.
- *Find out whether background-check fees are included in your placement fee.* If they aren't, ask the agency exactly what those fees will be.

### **Using a background-check agency**

If you aren't using a nanny placement agency, or the placement agency that you are using doesn't conduct an extensive background check, you may want to consider using the services of a background-check agency. There are two kinds of background-check agencies:

1. *Companies that specialize in performing background checks.* These companies can usually perform a nationwide search (that is, they can look up criminal records and obtain motor vehicle reports in each of the places where a candidate has said he has lived) in three days to two weeks. Because the companies are governed by the Federal Fair Credit Reporting Act, their searches extend only to public records from the last seven years or as far back as the person's eighteenth birthday -- whichever is the shorter period. Since they do a large volume of searches, these agencies tend to be economical to use. For example, packages that include a criminal record check, credit check, and motor vehicle report generally range in price from \$60 to \$120.
2. *Private investigative agencies.* Most private investigators restrict themselves to local investigations and may not be able to do nationwide searches for reasonable fees. However, because they do not operate nationally, they are not governed by the Fair Credit Reporting Act and therefore may be able to obtain "non-public" information, subject to state regulations.

If you decide to use a background-check agency, whether a corporate agency or a private investigative agency, you will want to be sure to cover the following points in your discussions:

- *Ask about the background of the owner of the agency.* How long has the company been in business?
- *Ask about the person who will perform the background check.* Is he or she experienced at performing this kind of search? It's a good idea to let the agency know that you want to work with someone knowledgeable about checks on care providers.
- *Ask for references* for the background-check agency and follow them up.
- *Is the agency required to be licensed by the state?* If so, is it licensed?
- *Find out exactly what the investigation includes.* If the agency conducts a criminal record check, will it be by hand or computer? If the agency checks driving violations, will it check in all the states where the candidate says he has lived? Does the agency check to see that the candidate has attended the educational institutions he says he has attended? Will the agency perform a credit check?
- *Ask how far back in time the agency's investigation will extend.* Will the agency conduct a more extensive search if you ask it to?
- *Request written documentation of what areas the search has covered and the results of the search.* Again, it's not a good idea to rely on advertisements or phone conversations.

*Remember, background checks are only part of the screening process.* It's important to keep in mind that background checks, whether performed by placement agencies, background-check agencies, or on your own, aren't always foolproof. Remember that although such checks can be valuable, they are only one part of the screening process, which should include a careful interview -- or series of interviews -- of the candidate, and thorough reference checks. The process takes time and attention, but the reward, in peace of mind, is well worth the effort.

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